

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

RONALD MESHELL,

Petitioner,

v.

Case Number: 2:06-cv-15296

DOUGLAS VASBINDER,

Respondent.

**ORDER GRANTING PETITIONER'S "MOTION
TO PROCEED *IN FORMA PAUPERIS* ON APPEAL"**

Petitioner Ronald Meshell filed a *pro se* petition for a writ of habeas corpus under 28 U.S.C. § 2254. The court denied the petition on August 29, 2008, and also declined to issue a certificate of appealability. Now before the court is Petitioner's "Motion to Proceed *In Forma Pauperis* on Appeal".

Federal Rule of Appellate Procedure 24(a)(1) provides that a party to a district-court action who desires to appeal *in forma pauperis* must file a motion in the district court. An appeal may not be taken *in forma pauperis* if the court determines that it is not taken in good faith. 28 U.S.C. § 1915(a)(3). "[T]o determine that an appeal is in good faith, a court need only find that a reasonable person could suppose that the appeal has some merit." *Walker v. O'Brien*, 216 F.3d 626, 631 (7th Cir. 2000). While the court has held that reasonable jurists would not find the court's decision that the petition was meritless to be debatable or wrong, the court finds that an appeal may be taken in good faith.

Accordingly, IT IS ORDERED that Petitioner's "Motion to Proceed *In Forma Pauperis* on Appeal" [Dkt. # 16] is GRANTED.

s/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: November 7, 2008

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, November 7, 2008, by electronic and/or ordinary mail.

s/Lisa G. Wagner
Case Manager and Deputy Clerk
(313) 234-5522